

Duplicate
1036

VOLUNTARY AGREEMENT

Made this 26 day of May 26, 1994, by and between J.H.Y. Liquors, Inc., T/A Riggs Wine & Liquors (the applicant) and Block 8 Association, (protestant).

WITNESSETH:

WHEREAS, pending before the District of Columbia Alcohol Beverage Control Board (ABC) is Applicant's application for a renewal of a Class A license for the premises 5581 South Dakota Avenue, N.E., Case No. 1036-93059P; AND

Whereas, the parties desire to enter into an AGREEMENT commorating certain understandings regarding Applicants's operating plans;

NOW THEREFORE, in consideration of the premises above recited, and the mutual covenants and promises set forth below, the parties agree as folows:

1. APPLICANT, in addition to continuing to maintain the exterior areas of its store claean and free from litter, shall regularly inspect the parking lot of the store for the purpose of removing alcoholic beverage related litter, such as beer cans and bottles, without regard for the fact that the same may not have been purchased at Rigg's & Wine Liquors; and BLOCK 8 Association shall use its best efforts to persuade other persons in the neighborhood and other businesses located in the block of 5581 South Dakota Avenue, to undertake similar projects;

2. Applicant will post "No Littering" and "No Loitering" signs in windows of its store in a conspicuous location;

3. Applicant will post a sign on its door stating "Attention! No minors (under 18) are allowed in the store during school hours" (9A.M.-3P.M.) in a conspicuous location at approxiamtely 4 Feet from ground level; as well as continue to verbally communicate this policy to minors who enter premises during such hours.

4. Applicant will post "Please do not drink alcoholic beverages while standing in front of premises" sign on its doors in a conspicuous location;

5. Applicant will continue to pursue reasonable efforts to discourage people from congregating for extended periods near its store by direct requests as well as communications with the Metropolitan Police Department (MPD); and the Block 8 Association will augment this effort by periodically informing the MPD and other public agencies if it appears that they have not appropriately responded to applicant's requests for assistance in this respect;

6. Applicant will continue it's practice of refusing to sell alcoholic beverages to persons who loiter and/or engage in boisterous conduct in or around its store.

7. If the Block 8 Association believes in good faith that the Applicant hereto has failed to comply with this agreement, that party shall notify the other in writing of the basis for such belief, and the party so notified shall address such alleged non-compliance within thirty (30) days;

8. Block 8 Association and Applicant acknowledge that because of the diverse economic and social conditions within the neighborhood that a coordinated effort by each, as well as the residents, and owners of the business in the neighborhood, also is necessary to achieve the efficient and effective allocation of public and social services that are necessary for improving the quality of residential life and economic opportunity within the neighborhood.

9. This Agreement shall take effect upon the renewal of Applicant's pending request for renewal of its ABC license.

10. This Agreement shall be executed in four (4) parts, each of which shall constitute an original.

11. The Block 8 Association hereby withdraws its protest.



J.H.Y. LIQUORS, INC.
T/A RIGG'S WINE & LIQUORS



BLOCK 8 ASSOCIATION
PRESIDENT

DATED: 5-28 1995

DATED: 5/26/95 1995

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

JHY Liquors, Inc.
t/a Riggs Wine & Liquor
Application for a Retailer's
License Class "A" renewal
at premises
1036 South Dakota Avenue, N.E.
Washington, D.C.

Case No. 1036-95038P

Victoria Wells, President, on behalf of Block 8 Association, Protestant

James J. Yoo, President, on behalf of Applicant

BEFORE: MARY EVA CANDON, ESQUIRE, Chairperson
DENNIS BASS, Member
JAMES C. JEFFERSON, Member
JAMES L. O'DEA, III, ESQUIRE, Member
BARBARA L. SMITH, ESQUIRE, Member

ORDER

The application, having been protested, came before the Board for public hearing on April 5, 1995, in accordance with D.C. Code Section 25-115 (c)(5)(1992 Supp.), providing for remonstrants to be heard. Victoria Wells, President, on behalf of Block 8 Association, filed a timely protest letter dated March 21, 1995.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board.^{1/} Pursuant to the Agreement, the Protestant has agreed to withdraw the protest provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

^{1/} See Agreement dated May 26, 1995.

JHY, Inc.
t/a Riggs Wine & Liquor
Page two

Accordingly, it is this 16th day of August, 1995, hereby ORDERED that:

1. The protest of Victoria Wells, President, on behalf of Block 8 Association, be, and the same hereby, is WITHDRAWN;


2. The above-referenced Agreement between the parties be, and the same hereby, is INCORPORATED as part of this Order;

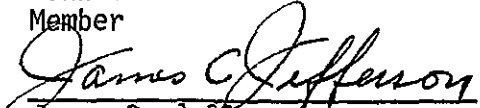
3. The application of JHY, Inc. t/a Riggs Wine & Liquor for a retailer's license class A at premises 5581 South Dakota Avenue, N.E., be, and the same hereby, is GRANTED; and,


4. Copies of this Order shall be sent to the Protestant and the Applicant.

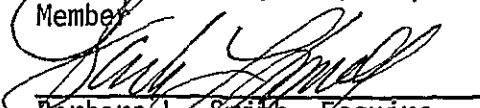
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

Mary Eva Candon, Esquire
Chairman


Dennis Bass
Member


James C. Jefferson,
Member


James L. O'Dea, III, Esquire
Member


Barbara L. Smith, Esquire
Member